

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

CLAY DAVIS, Plaintiff

VS.

§
§
§
§
§
§

**CIVIL ACTION NO. 2:18-cv-00128
JURY DEMAND**

**INTERNATIONAL PAPER COMPANY
AND MANCEL SPRAYBERRY,
JOHN SPRAYBERRY d/b/a
JWK LOGGING AND SCOTTY PRINCE
d/b/a PINELAND FORESTRY SERVICES
Defendants**

§
§
§
§
§
§

STIPULATION OF DISMISSAL WITH PREJUDICE

Plaintiff and Defendants file this Stipulation of Dismissal under Federal Rule of Civil Procedure 41(a)(1)(A)(ii) and this Honorable Court's Standing Order.

1. Plaintiff is Clay Davis; Defendants are Mancel Sprayberry, International Paper Company, John Sprayberry d/b/a JWK Logging and Scotty Prince d/b/a Pineland Forestry Services.

2. On April 3, 2018, Plaintiff sued Defendants International Paper Company and Mancel Sprayberry. On June 28, 2018, Plaintiff sued Defendants John Sprayberry d/b/a JWK Logging and Pineland Forestry Services, LLC.

3. Plaintiff moves to dismiss this suit against all Defendants.

4. Defendants, Mancel Sprayberry, International Paper Company, John Sprayberry d/b/a JWK Logging and Scotty Prince d/b/a Pineland Forestry Services who have all served an answer agree to this dismissal.

5. This case is not a class action under Federal Rule of Civil Procedure 23, a derivative action under Rule 23.1, or an action related to an unincorporated association under Rule 23.2.

6. A receiver has not been appointed in this case.

7. This case is not governed by any federal statute that requires a court order for dismissal of the case.

8. Plaintiff has not previously dismissed any federal- or state-court suit based on or including the same claims as those presented in this case.

9. This dismissal is with prejudice.

10. All costs of court are taxed against the party incurring same. The ad litem fee in this matter is taxed against plaintiff.

Respectfully submitted,

BY: /s/ Roger W. Anderson

ROGER W. ANDERSON
Of Counsel
State Bar No. 01213500
Email: randerson@freemanmillspc.com
FREEMAN MILLS PC
12222 Merit Drive, Suite 1400
Dallas, Texas 75251
(214) 800-5191
(214) 800-5190 (fax)
ATTORNEY FOR PLAINTIFF
CLAY DAVIS

By: /s/ Darah Eckert with permission

Darah Eckert
Texas State Bar No. 24007141
Fed. ID No. 1890045
Robert M. Browning
Texas State Bar No. 00796264
Fed. ID No. 21097
deckert@brownsims.com
rbrowning@brownsims.com
BROWN SIMM, P. C.
1177 West Loop South, Tenth Floor
Houston, Texas 77027-9007
Telephone: (713) 629-1580
Facsimile: (713) 629-5027
ATTORNEYS FOR DEFENDANTS
MANCEL SPRAYBERRY AND
JOHN SPRAYBERRY D/B/A
JWK LOGGING

BY: /s/ Adam B. Allen

Adam B. Allen
State Bar No. 24038738

WHITE  SHAVER

205 W. Locust Ave.
Tyler, Texas 75702
Telephone: 903/533-9447
Telefax: 903/595-3766
Aallen@whiteshaverlaw.com
ATTORNEY FOR DEFENDANT
SCOTTY PRINCE D/B/A PINELAND
FORESTRY SERVICE

BY: /s/ Richard A. Illmer

Richard A. Illmer
State Bar No. 10388350
Leslie C. Basque
State Bar No. 24093771
Husch Blackwell LLP
2001 Ross Avenue, Suite 200
Dallas, Texas 75201
Rick.Illmer@huschblackwell.com
Leslie.Basque@huschblackwell.com
Telephone: (214) 999-6100
Facsimile: (214) 999-6170
ATTORNEYS FOR DEFENDANT
INTERNATIONAL PAPER COMPANY